

EXTRACT FROM HEARINGS BEFORE THE
COMMITTEE ON POST OFFICE & CIVIL SERVICE

S. 1035 - H.R. 17760

Statement made by Lawrence Speiser/ACLU -- July 17, 1968

I don't know the status of Congressional access to classified information whether you each individually have to go through a security clearance investigation, but I think that if each of the Congressmen had to take a lie detector test with the kinds of questions, and I don't know whether you have seen a complete printed form of the questions they could ask, I think you would resent them and--

Mr. Henderson. They have been made available to the Subcommittee. They were submitted to us.

I don't know that the other members have had a chance to see them.

Mr. Speiser. I very much would like to see them myself. They are stamped "For official use only" which is the lowest standard of classification I know.

Mr. Henderson. They do not depart from those questions to any great extent. If that is so I would come to the conclusion they would not be personally obnoxious to me.

In their explanation of their use it is obviously necessary that they do deviate to some extent in the questions.

Let me say that on this specific question, and it is an important one to the Subcommittee, I will take the opportunity to ask both CIA and NSA if they would have someone come over in either my presence or the presence of the Subcommittee staff and permit us-- and also in your presence-- permit us to talk to them about this.

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I think this could be very helpful to the Subcommittee. In the general area of talking to them about this it could be very helpful to us to get some very independent ideas.

Mr. Speiser. I would be delighted to participate.

Mr. Henderson. I have some difficulty in this area because I have serious reservations about the use of the polygraph, and the most serious reservation I have is to what extent they rely on it.

If they use this as a tool in connection with everything else that might be available to them then I am not so concerned, but I am fearful that management may come to rely on this to an extent that perhaps a prohibition would bring back into balance if they could not use it.

I think you might be helpful to us and I would like to explore this with you even though again that might be done in executive session, in a sense.

I do not think there is anything we would reveal to you that you would thereafter reveal to anyone else and that it would be a matter involving national security.

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DD1568-3253

27 June 1968

MEMORANDUM FOR: Deputy Director for Support

SUBJECT : Suitability Examinations, Fiscal Year 1967

1. The Office of Medical Services re-examines employees for a variety of purposes. As a generalization, these examinations are responsive to specific requirements rather than to questions of general suitability. The largest category of re-examination is concerned with overseas activities, either permanent change of station or standby authorization for temporary travel. During FY 1967, [] examinations were performed specific to the question of overseas residence, with 35 disqualifications. [] were examined for temporary overseas travel and standby authorization with 39 disqualifications.

2. It should be mentioned that disqualification figures do not convey an accurate impression of medical re-examination effectiveness. The Medical Office is much more interested in the conservation of manpower. There are no convenient quantifiable measurements that reflect the amount of energy that is spent in remedial measures so that administratively promising candidates may qualify for proposed assignments.

Some indication of remedial attitude and effort may more easily be found in the re-examination category of annual executive examinations. During FY 1967, we performed [] annual executive examinations. The purpose of these examinations is to uncover early evidences of illness or promise of difficulty among our senior people. Consistently over the years, we pick up early significant illness in at least one out of ten individuals. These findings are discussed privately with the individual and recommendations are made for private care. [] of these cases this past year, immediate direct specialist referral was indicated, which we accomplished with the examinee's consent.

3. Perhaps the category that approximates evaluation for general suitability is fitness-for-duty examination, although these examinations are also specific for position requirements. In FY 1967, we completed 22 fitness-for-duty examinations. These cases are evaluated with considerable care and concern since they deal with an employee's career and future. We eventually found 16 qualified for duty, 2 were placed in a conditional status, and 4 were found not qualified, with voluntary disability retirement suggested in 2 cases. It might be mentioned that during the same period we also processed 53 disability retirement cases, 11 of which were through the Agency system.

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SUBJECT: Suitability Examinations, Fiscal Year 1967

4. The foregoing information is limited to employee re-examination procedures. There are analogous medical efforts which apply to other categories of people.

SIGNED

JOHN R. TIETJEN M.D.

JOHN R. TIETJEN, M. D.
Director of Medical Services

Approved For Release 2002/11/22 : CIA-RDP79-00632A000100080010-1

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24 June 1968

HISTORICAL NOTE

In 1802 a Mr. Wolcott defended the Treasury practice of submitting certifications for secret expenditures rather than giving detailed accountings. A Committee study had called this illegal and improper. Mr. Wolcott sums up as follows:

The suggestion of the Committee, that the practice of the former Administration is not reconcilable with the principles of a representative government, is as incorrect as their other observations. If they had proved, that the Government had united all the citizens in one bond of affection and confidence; that it had purified all exotic and spurious elements; that it had so elevated the virtue, and confirmed the patriotism, of the people, that the funds of foreign nations could here find no employment; then indeed there would be cause for congratulation, that these principles had received a desired illustration: but to be silent on these topics, and to deny to our Government the means of repelling the force, or combating the intrigues, of foreign nations, is virtually to declare, that our own magistrates, chosen by ourselves, have no integrity, and that unlimited confidence may be placed in the justice and virtue of foreign rulers.